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11  
12 **IN THE UNITED STATES DISTRICT COURT**  
13 **FOR THE DISTRICT OF NEVADA**

14 SUZANNE SEKULER,

15 Plaintiff,

16 v.

17 C. R. BARD, INC.; BARD PERIPHERAL  
18 VASCULAR, INCORPORATED,

19 Defendants.  
20

CASE NO. 2:19-cv-01585-KJD-EJY

**STIPULATION TO EXTEND  
DISCOVERY AND PRE-TRIAL  
DEADLINES**

**(SECOND REQUEST)**

21  
22 Comes now, Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (“Bard” or  
23 “Defendants”) and Plaintiff Suzanne Sekuler (“Plaintiff”), by and through their undersigned  
24 counsel of record, pursuant to LR IA 6-2, and hereby stipulate that the discovery deadlines are  
25 extended by sixty (60) days.

26 This Stipulation is entered into as a result of the current national emergency caused by the  
27 spread of COVID-19. The process of collecting and reviewing medical records in this case is  
28 taking longer than originally anticipated because of hospital delays resulting from their efforts

1 to focus on the pandemic. Additionally, the Parties have been engaged in settlement discussions  
2 and have exchanged materials relating to the same.

3 Pursuant to Federal Rules of Civil Procedure 6(b) and 26, and the Court's inherent  
4 authority and discretion to manage its own docket, this Court has the authority to grant the  
5 requested extension. Fed. R. Civ. P. 6(b) ("When an act may or must be done within a specified  
6 time the court may, for good cause, extend the time...."); Fed. R. Civ. P. 26(a) ("A party or any  
7 person from whom discovery is sought may move for a protective order in the court where the  
8 action is pending . . . The court may, for good cause, issue an order to protect a party or person  
9 from annoyance, embarrassment, oppression, or undue burden or expense."). Furthermore,  
10 Federal Rules of Civil Procedure 26(c) and 26(d) vest the Court with authority to limit the scope  
11 of discovery or control its sequence. *Crawford-El v. Britton*, 523 U.S. 574, 598 (1998) ("Rule  
12 26 vests the trial judge with broad discretion to tailor discovery narrowly and to dictate the  
13 sequence of discovery.").

14 This Court therefore has broad discretion to extend deadlines or stay proceedings as  
15 incidental to its power to control its own docket – particularly where, as here, such action would  
16 promote judicial economy and efficiency. *Bacon v. Reyes*, 2013 U.S. Dist. LEXIS 143300, at \*4  
17 (D. Nev. Oct. 3, 2013) (citing, *Munoz-Santana v. U.S. I.N.S.*, 742 F.2d 561, 562 (9th Cir. 1984))  
18 ("Whether to grant a stay is within the discretion of the court"); *Lockyer v. Mirant Corp.*, 398  
19 F.3d 1098, 1109 (9th Cir. 2005) ("A district court has discretionary power to stay proceedings  
20 in its own court."); *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) ("[T]he power to stay  
21 proceedings is incidental to the power inherent in every court to control the disposition of the  
22 causes on its docket with economy of time and effort for itself, for counsel, and for litigants.").

23 For the foregoing reasons, the parties stipulate and request that this Court modify the  
24 Stipulated Discovery Plan and Scheduling Order, Dkt. 36, as follows:

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26 ///

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PROPOSED DATE	DEADLINE
December 8, 2020	Case-specific fact discovery closes.
December 22, 2020	The Plaintiff shall produce case-specific expert reports.
January 26, 2021	The Defendants shall produce case-specific expert reports.
February 17, 2021	The Plaintiff shall produce any case-specific rebuttal expert reports.
March 11, 2021	The Defendants shall produce any rebuttal expert reports.
March 25, 2021	Deadline to depose the Plaintiff's case-specific experts.
April 30, 2021	Deadline to depose the Defendants' case-specific experts.
June 11, 2021	Deadline to file Daubert motions and other dispositive motions.

**IT IS SO STIPULATED.**

Dated this 31<sup>st</sup> day of July 2020  
WETHERALL GROUP, LTD.

Dated this 31<sup>st</sup> day of July 2020  
GREENBERG TRAURIG, LLP

By: /s/ Peter C. Wetherall

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**IT IS SO ORDERED.**

BRENDA WEKSLER  
United States Magistrate Judge

Dated this 3rd day of August 2020.